

PTO/SB/50 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/903,160
Filing Date	July 11, 2001
First Named Inventor	Cem Basceri
Art Unit	2811
Examiner Name	Douglas W. Owens
Attorney Docket Number	MIO 0062 PA

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(a) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Julie G. Cope	Registration No. (Attorney/Agent)	48,624
Signature	<i>Julie Cope</i>	Date	01/06/2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Julie G. Cope	Date	01/06/2003
Signature	<i>Julie Cope</i>		

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B  
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V8

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Application of

Applicant : Cem Basceri, et al.  
Serial No. : 09/903,160  
Filed : July 11, 2001  
Title : CAPACITOR WITH HIGH DIELECTRIC CONSTANT MATERIALS  
AND METHOD OF MAKING  
Docket : MIO 0062 PA (99-0426; 98-1296)  
Examiner : Owens, Douglas W.  
Art Unit : 2811

Assistant Commissioner for Patents  
Washington, DC 20231

CERTIFICATE OF FACSIMILE TRANSMISSION  
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark  
Office (Fax No. 703/872-9319) on January 6, 2003.

*Julie G. Cope*  
Julie G. Cope Reg. No. 48,624

JAN 11 6 2003

TECHNOLOGY CENTER 2800

Sir:

AMENDMENT

This amendment is being filed in response to the Office Action mailed on August 21, 2002. A Request for Reconsideration was timely filed on October 30, 2002. An Advisory Action stating that the Request for Reconsideration was not persuasive was mailed on November 6, 2002. A Notice of Appeal was timely filed on November 13, 2002. A Request for Continued Examination accompanies this amendment.

CLEAN VERSION OF THE AMENDMENTS

A version of the amendments showing the markings is provided in a separate appendix attached to this paper.

In the Claims

B' *sub*  
1. (Amended) A method for forming a capacitor comprising: providing a non-oxide electrode; oxidizing an upper surface of said non-oxide electrode using an O<sub>3</sub> gas plasma; depositing a high dielectric constant oxide dielectric material directly onto the oxidized surface of said non-oxide electrode; and depositing an upper layer electrode on said high dielectric constant oxide dielectric material.

Please cancel claim 7.

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 918.00

## Complete if Known

Application Number	09/903,160	FAX RECEIVED
Filing Date	July 11, 2001	
First Named Inventor	Cem Basceri	JAN 6 2003
Examiner Name	Douglas W. Owens	
Art Unit	2811	TECHNOLOGY CENTER 2800
Attorney Docket No.	MIO 0062 PA	

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ -0-

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
33	33 - 3 = 30	18	-0-
Independent Claims	14 - 1 = 13	84	168
Multiple Dependent			-0-

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 168.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1061 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(c)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	750
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 750.00

## SUBMITTED BY

Name (Print/Type) Julie G. Cope

Registration No.

48,624

(Complete if applicable)

Telephone 937/223-2050

Signature

Julie Cope

Date

01/06/2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Received from &lt; 937 223 0724 &gt; at 1/6/03 4:13:48 PM [Eastern Standard Time]

**FACSIMILE COVER SHEET****TO: Examiner Douglas W. Owens, Art Unit 2811****Company:** Assistant Commissioner for Patents  
**Fax No.:** 703/872-9319**FROM: Julie G. Cope, Reg. No. 48,624/amm****Date:** January 6, 2003  
**Pages:** 23  
*(including cover page)*  
**Our Docket No.:** MIO 0062 PA**Transmission No.:** \_\_\_\_\_*Patents, Trademarks and Related Matters***Killworth, Gottman, Hagan & Schaeff, L.L.P.**One Dayton Centre  
One South Main Street, Suite 500  
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Fax | 937.223.0724  
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www.KGHS.com**FAX RECEIVED**

JAN 06 2003

TECHNOLOGY CENTER 2800

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**Remarks:****U.S. Patent Application Serial No. 09/903,160****OFFICIAL****OFFICIAL****OFFICIAL****CONFIDENTIAL FACSIMILE COMMUNICATIONS**

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